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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/892,425

06/27/2001

Bobo Wang

00027 US

2782

34247

7590

12/06/2006

FREDERIC M. DOUGLAS

15333 CULVER DRIVE

SUITE 340 PMB 114

IRVINE, CA 92604-3051

EXAMINER

POON, KING Y

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 12/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/892,425	<b>Applicant(s)</b> WANG ET AL.	
	<b>Examiner</b> King Y. Poon	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 and 15-25 is/are pending in the application.
- 4a) Of the above claim(s) 1-8, 10-12 and 15-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-8, 10-12, 15-25 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 9/29/2006.

### *Drawings*

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the limitation "illuminating sections of the code strip as the fiduciary marks pass under the light emitting diode array; detecting light reflected from the code strip to track the motion of the photoreceptor; monitoring the motion of the photoreceptor to generate a timing signal representative of the photoreceptor motion; and delaying input of the data signal to the diode array in response to variations in the timing signal by varying the duration of the interval of diode non-actuation while maintaining the predetermined interval of diode energization; whereby actuation of individual groups of the diode array is synchronized with motion of the photoreceptor" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure

number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 9 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation of "illuminating sections of the code strip as the fiduciary marks pass under the light emitting diode array; detecting light reflected from the code strip to track the motion of the photoreceptor; monitoring the motion of the

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photoreceptor to generate a timing signal representative of the photoreceptor motion; and delaying input of the data signal to the diode array in response to variations in the timing signal by varying the duration of the interval of diode non-actuation while maintaining the predetermined interval of diode energization; whereby actuation of individual groups of the diode array is synchronized with motion of the photoreceptor" is subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

### ***Response to Arguments***

5. Applicant's response regarding claim 9 (page 8-10, argument filed on 5/8/2006) has been considered.

Applicant particular point out the limitation of the "the light emitting diode array" (claim 9, line 11-12, line 17, and line 21) of claim 9 is referring to the light emitting diode of paragraph 4, paragraph 35, fig. 7, light emitting diode array 222, as shown in FIG. 7.

Applicant states "The latent image is formed as the LED array scans across the moving belt 12 to expose and discharge selected areas of belt 12. The last sentence of Paragraph [0044] states "As will be explained more fully, the output of the motion encoder 20 is combined with the timing signals used in the LED drive circuit to selectively actuate individual groups of LEDs contained in the diode array and selectively discharge localized areas of the OPC surface as shown in FIG. 1."

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However, under careful examination of applicant's invention, there are two light source: 1) light source 37 illuminates the fiduciary markings (paragraph 42) which is part of 36 of fig. 1 (also see fig. 1A); 2) light source 223 (paragraph 42) that selectively discharged OPC belt to form an image. Such light source is located at image imaging station 16b of fig. 1 (see paragraph 40, 4, and fig. 7).

From fig. 1, light source 36/37 clearly is not the same light source of 16b, 223, fig. 7; and the specification only disclosed the light sources 37 illuminate sections of the code strip as marks pass under respective light source 37-not light source 222 or 223.

As explain in detail in applicant's response filed on 5/8/2006, claim 9 is claiming illuminating sections of the code strip as the fiduciary marks pass under the light emitting diode array; detecting light reflected from the code strip to track the motion of the photoreceptor; and delaying input of the data signal to the diode array in response to variations in the timing signal by varying the duration of the interval of diode non-actuation while maintaining the predetermined interval of diode energization; whereby actuation of individual groups of the diode array is synchronized with motion of the photoreceptor.

In particular, applicant is claiming the light source that is used to read the code stripe is the same as the light source that is used to form a pixel image in the OPC belt of paragraph 4. Such limitation is not being shown in neither drawings nor specification of applicant's filed application.

The examiner has conduct a detailed search of such limitation and can not locate a reference that would anticipate claim 9 nor be reasonable used to combine with the

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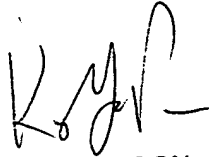
best prior art Daniele et al (US 4,837,636); based on the interpretation of claim 9 as provided by applicant.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is 571-272-7440. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 2, 2006

  
KING Y. POON  
PRIMARY EXAMINER